

**ENTERED**

November 02, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
—BROWNSVILLE DIVISION—**

CARLOS ROGELIO RIVAS,  
Petitioner,

VS.

UNITED STATES OF AMERICA,  
Respondent.

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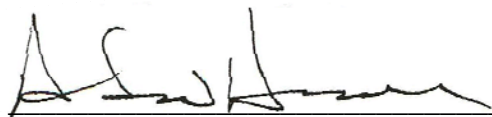
CIVIL ACTION NO. B-16-161  
CRIMINAL NO. B-15-610-1

**ORDER**

On October 6, 2016, the United States Magistrate Judge filed a Report and Recommendation [Doc. No. 5]. Petitioner has objected to said Report and Recommendation [Doc. No. 8].

Having considered *de novo* the Magistrate Judge's Report and Recommendation and the issues raised by Petitioner's objections, the Court orders that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, it is ordered that Petitioner Carlos Rogelio Rivas' Motion to Vacate, Set Aside or Correct his Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied as meritless, and the Certificate of Appealability is denied.

Signed this 2<sup>nd</sup> day of November, 2016.



Andrew S. Hanen  
United States District Judge